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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,816	02/07/2002	Gilles Fabre	PALM-3740	2834

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EXAMINER

NGUYEN, JIMMY H

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 05/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/071,816

Applicant(s)

FABRE ET AL.

Examiner

Jimmy H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is made in response to applicant's amendment filed on 03/15/2005.

Claims 1-4 and 17-20 are currently pending in the application. An action follows below:

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heikkinen et al. (USPN: 6,073,036), hereinafter Heikkinen, and further in view of Deo et al. (USPN: 6,832,084 B1), hereinafter Deo.

As per claims 1 and 17, the claimed invention reads on Heikkinen as follows: Heikkinen discloses a touch screen equipped computer device (a mobile station 10, a cellular phone, a personal communicator or a PDA, fig. 1A, col. 3, lines 42-45, col. 10, lines 39-44), an associate method and a computer readable media, the device comprising a touchscreen (a touch sensitive display 20, fig. 1A, col. 4, lines 53-58) for displaying a plurality of items (symbols, icons, functions and etc., col. 2, lines 15-19), and a computer system (see fig. 1A) having a processor (a controller 18, col. 3, line 56) coupled to a memory (24) (col. 4, lines 19-32 and lines 52). As noting in figs. 5A-5C and the corresponding description, col. 8, line 62 through col. 9, line 57, Heikkinen teaches steps (a)-(d) of claims 1 and 17, especially items ("I" and "U" symbols in fig. 5B) outside the fly over area (the magnification area corresponding to the "O" symbol, fig. 5B) shrunk with respect to the items ("I" and "U" symbols in fig. 5A) in the normal mode. Further, as

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noting in fig. 3 and at col. 7, lines 4-7, Heikkinen teaches scrolling the display contents in the fly over area (or magnified area) of the touchscreen until the desired character to be input is reached. However, Heikkinen does not disclose expressly scrolling the display contents of the touchscreen when the fly over area reaches an edge of the touchscreen. Accordingly, the Heikkinen reference discloses all the claimed limitations except that when the fly over area reaches an edge of the touchscreen, the display contents of the touchscreen are scrolled, as presently claimed.

However, Deo expressly teaches that when a selection area (an area including display contents "CULTS, PAUL", see fig. 20) reaches a bottom or top edge of the display (34) (see fig. 20) or of the touch sensitive screen (85) (see fig. 5, col. 6, lines 16-19), the display contents of the touchscreen are scrolled (see col. 5, lines 10-24). It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify the software of Heikkinen so that when the Heikkinen fly over area reaches a bottom or top edge of the touchscreen, the display contents of the touchscreen are scrolled, in view of the teaching in the Deo reference, because this would allow the user to view a large amount of information which can't be viewed at one time, as taught by Deo (see col. 4, line 58 through col. 5, line 24). Accordingly, it would have been obvious to combine Deo with Heikkinen to obtain the invention defined in these claims.

Regarding to claims 2 and 18, Heikkinen further teaches the movement commands for controlling the location of the magnification area with respect to the display screen (20) comprising a user dragging a navigation pointer (a user fingertip) across the display screen (see col. 9, lines 43-49, col. 6, lines 53-57 and col. 7, lines 4-14).

Regarding to claims 3 and 19, Heikkinen further teaches that when the user lifts the finger (i.e., the user stops controlling the location of the magnification area), the display automatically returns to the unmagnified format (i.e., exiting the magnification display mode) (see fig. 4B, specifically the route from step 412a to step 416 and then back to step 400, and the operation described at col. 7, lines 50-67, and col. 9, lines 50-56).

Regarding to claims 4 and 20, as noting at col. 5, lines 2-4, Heikkinen further teaches the navigation pointer being a stylus.

4. Claims 1-4 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez et al. (USPN: 6,704,034 B1), hereinafter Rodriguez, in view of DeLorme et al. (USPN: 6,321,158 B1), hereinafter DeLorme, and further in view of Deo.

As per claims above, Rodriguez teaches a device (a computer 100, see fig. 1) and an associate method for implementing a touch screen user interface (see col. 3, line 29 and fig. 3B). Rodriguez discloses displaying a plurality of items (text 302, image 304) in a normal mode (specifically see fig. 3A) and registering a user input to enter a fly over mode (see fig. 3B). Further, Rodriguez teaches a fly over area (an overlay window 312, see fig. 3B) for providing a magnified view of items within the fly over area, and the items (e.g., a plurality of other objects such as an image 304, icons, windows, see fig. 3B, col. 1, lines 25-43) outside the fly over area remaining intact (see fig. 3B) or simultaneously magnified with the items inside the fly over area either with the same or different magnification levels (see fig. 4, col. 5, line 61 through col. 6, line 5). Rodriguez does not disclose expressly the items outside the fly over area shrunk with respect to the items in the normal mode. Accordingly, the Rodriguez reference discloses all the claimed limitations except that the items outside the fly over area are magnified instead of

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shrunk as presently claimed, and when the fly over area reaches an edge of the touch screens, the display contents of the touchscreen are scrolled, as presently claimed.

However, DeLorme expressly teaches that the selected items can be either zoomed in (i.e., magnified) for showing a greater detail or zoomed out (i.e., shrunk) for showing more items (fig. 1A1, col. 16, lines 55-67 and col. 21, lines 28-40). It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to provide the zoom-out feature in the device of Rodriguez, in view of the teaching in the DeLorme reference, because this would provide the user to view more items that are around a selected item, as taught by DeLorme.

However, the above combination of DeLorme and Rodriguez still fails to teach the feature, “when the fly over area reaches an edge of the touchscreen, the display contents of the touchscreen are scrolled”, as presently claimed. Deo expressly teaches that when a selection area (an area including display contents “CULTS, PAUL”, see fig. 20) reaches a bottom or top edge of the display (34) (see fig. 20) or of the touch sensitive screen (85) (see fig. 5, col. 6, lines 16-19), the display contents of the touchscreen are scrolled (see col. 5, lines 10-24). It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify the software of Rodriguez in view of DeLorme so that when the Rodriguez fly over area reaches a bottom or top edge of the touchscreen, the display contents of the touchscreen are scrolled, in view of the teaching in the Deo reference, because this would allow the user to view a large amount of information which can’t be viewed at one time, as taught by Deo (see col. 4, line 58 through col. 5, line 24). Accordingly, it would have been obvious to combine Deo, DeLorme, and Rodriguez to obtain the invention defined in these claims.

Response to Arguments

5. It is noted Applicant that the drawing objection and the rejections under 35 USC 112, first paragraph, in the previous Office action dated 12/10/2004, have been rendered moot in light of the amendments to claims 1 and 17. The drawing objection and the rejections under 35 USC 112, first paragraph, in the previous Office action dated 12/10/2004 are hereby withdrawn.

6. Applicant's arguments, see pages 6-8 of the amendment filed on 3/15/2005, with respect to the rejections under 35 USC 102 and 103 in the Office Action dated 12/10/2004, have been fully considered and are persuasive in light of the amendments to independent claims 1 and 17. However, upon further consideration, the new grounds of rejections are made above.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy H. Nguyen whose telephone number is 571-272-7675.

The examiner can normally be reached on Monday - Thursday, 8:00 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached at 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JHN
May 26, 2005



Jimmy H. Nguyen
Primary Examiner
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